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REMARKS

This response is intended as a full and complete response to the Final Office Action dated September 24, 2003. In view of the amendments and the following discussion, the Applicants believe that all claims are in allowable form.

CLAIM REJECTIONS

A. 35 U.S.C. §103 Claims 1, 2, 4, and 6-14

Claims 1, 2, 4, and 7 stand rejected as being anticipated by United States Patent Application Publication No. US 2001/0055852 A1, published Dec. 27, 2001, to *Moise et al.* (hereinafter referred to as "Moise"). In response, the Applicants have amended claim 1 to more clearly recite aspects of the invention. Claim 2 has been cancelled without prejudice.

Independent claim 1, as amended, recites limitations not taught, shown or suggested by Moise. Moise teaches to etch PZT, BST, or SBT (paragraph [0010]. More specifically, Moise teaches to etch PZT using Cl₂, O₂, CF₄, and Ar (paragraphs [0159] and [0167]), or etch PZT and SBT using Cl₂ and O₂ (paragraph [0173]). However, Moise does not teach, show or suggest a method of plasma etching, using carbon monoxide and a halogen gas, a layer of dielectric material comprising at least one of HfO₂, ZrO₂, Al₂O₃, ZrSiO₂, HfSiO₂, and TaO₂, as recited by amended claim 1. Support for the amendment can be found in the Specification at paragraphs [0005] and [0014].

Thus, the Applicants submit that independent claim 1 and claims 4 and 6-14 that depend therefrom are patentable over Moise. Accordingly, the Applicants respectfully request the rejection to claims 1, 4, and 6-14 be withdrawn.

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ALLOWABLE CLAIMS

The Applicants thank the Examiner for his comments regarding the allowability of claim 17. The Applicants additionally thank the Examiner for his comments regarding the allowability of claims 3, 15, and 16 when the claims are rewritten in independent form including all the limitation of the base claim and any intervening claims. In response, the Applicants amended claim 3 accordingly.

NEW CLAIMS

New claims 35 and 36 have been added. The Applicants believe that claims 35 and 36 are fully supported by the specification and no new matter has been entered. As claims 35 and 36 depend from claim 3, which is allowable for the reasons discussed above, the Applicants respectfully request allowance of these claims.

CONCLUSION

Thus, the Applicants submit that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issuance are earnestly solicited.

If, however, the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone Mr. Keith Taboada at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile under 37 C.F.R. §1.8 on November 24, 2003 and is addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Facsimile No. (703) 872-9319.

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Allyson M. DeVesty
Printed Name of Person Signing

11-24-03
Date of signature

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